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June 20, 2025

VIA ECF ONLY

Judge Natasha C. Merle
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Verne v. Judd, *et al.*
1:25-cv-03334

Dear Judge Merle:

As you know, this office represents the Plaintiff in connection with the above-referenced matter, which arises out of a motor vehicle accident that occurred on or about May 10, 2024 in Kings County, City and State of New York.

Pursuant to Your Honor's Individual Rules, please accept this correspondence as Plaintiff's letter motion requesting a pre-motion conference, at which Plaintiff will seek permission to move for an Order to Remand the instant action back to New York State Supreme Court, Kings County pursuant to 28 U.S.C. §1447(c) and 28 U.S.C. §1446(b)(2)(A).

Briefly, the Plaintiff will submit to this Court that based upon the fact that not all Defendants have consented to the Removal, specifically Defendant B&M Leasing Corp, who has not yet appeared in the Kings County case, remand is warranted and appropriate.

As this Court is aware, the Federal District Courts must construe the removal statutes strictly in favor of remand against removal. See Hunter v. Philip Morris USA, 582 F.3d 1039, 1042 (9th Cir. 2009); Diaz v. Sheppard, 85 F.3d 1502, 1505 (11th Cir. 1996).

Because Defendant Judd admittedly has not obtained Defendant B&M Leasing Corp's consent to removal, and other reasons which will be outlined in detail in a subsequent motion following the pre-motion conference, the matter should be remanded forthwith to Supreme Court, Kings County. Hence, it is respectfully requested that the Court grant Plaintiff's request for a pre-motion conference.

Hon. Natasha C. Merle

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Of course, should you have any questions, or wish to discuss the matter in greater detail, please do not hesitate to contact the undersigned. Thank you for your time and attention.

Very truly yours,

A handwritten signature in purple ink, appearing to read 'Ethan D. Irwin', with a stylized flourish at the end.

Ethan D. Irwin, Esq.

CC:

ALL COUNSEL VIA ECF ONLY